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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,811	12/11/2003	Sundeep Bhan	49298-043	2784

21890 7590 08/15/2005

PROSKAUER ROSE LLP  
PATENT DEPARTMENT  
1585 BROADWAY  
NEW YORK, NY 10036-8299

EXAMINER
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OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/734,811

Applicant(s)

BHAN ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,10-15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,10-15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Claims 7, 9, and 16 have been cancelled; therefore, Claims 1-6, 8, 10-15, 17 and 18 are currently pending in application 10/734,811.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8, 10-15, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Gal et al. (WO 01/52106 A2).
4. As per independent Claim 1, Gal discloses a method of selectively distributing invitations for a plurality of events (Abstract), the method comprising the steps of: storing event information about each of a plurality of events (C3 L8-11, the user creates a message and provides profile information – the message would inherently be saved in order to do a query on members), wherein the event information for each of the plurality of events includes at least one invitee selection criterion (C3 L8-15, profile information); storing member information about each of a plurality of members (C3 L8-15, database of recipients); detecting, for each of the plurality of members, whether the at least one invitee selection criterion for each of the events matches the member information (C2

L11-13, C3 L8-15, C5 L6-12, C6 L7-13); and sending an e-mail invitation to at least some of the members for whom a match was detected in the detecting step (C3 L8-15), wherein the e-mail invitation invites its recipient to at least some of the events for which a match was detected in the detecting step, and wherein at least one of the e-mail invitations sent in the sending step invites its recipient to a plurality of events for which a match was detected in the detecting steps (Invitations, Fig.4, C5 L26-27).

5. As per independent Claims 6 and 15, Gal discloses a method of selectively distributing invitations for a plurality of events (Abstract), the method comprising the steps of: storing event information about each of a plurality of events (C3 L8-11, the user creates a message and provides profile information – the message would inherently be saved in order to do a query on members), wherein the event information for each of the plurality of events includes at least on invitee selection criterion (C3 L8-15, profile information); storing member information about each of a plurality of members (C3 L8-15, database of recipients), wherein the member information for each of the plurality of members includes at least on member preference (C3 L8-15, C5 L6-12, C6 L7-13); determining, based on (a) matches between the member information and the at least one invitee selection criterion for each of the plurality of events and (b) matches between the event information and the at least one member preference for the respective members, which events each of the plurality of members should be invited to (C2 L11-13, C3 L8-15, C5 L6-12, C6 L7-13); and sending [e-mail] invitations to the members based on results of the determining steps (C3 L8-15), wherein the invitations are sent via e-mail and at least one of the invitations invites its recipients to more than one of the events (Pg.5).

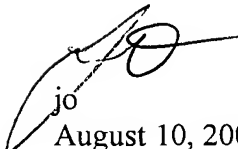
6. As per Claim 2 and 11, Gal discloses wherein the at least on invitee selection criterion comprises an area of practice (Fig.4, Occupation).
7. As per Claim 3 and 12, Gal discloses wherein the at least on invitee selection criterion for each of the plurality of events is selected by a sponsor of the respective event (C3 L8-15, user creates message with profile).
8. As per Claim 4 and 13, Gal discloses wherein the at least on invitee selection criterion comprises an identifier that uniquely identifies an individual member (C5 L6-12, e-mail address).
9. As per Claim 5 and 14, Gal discloses wherein the at least on invitee selection criterion comprises a list of identifiers, each of which uniquely identifies an individual member (e-mail address, web page).
10. As per Claim 8 and 17, Gal discloses wherein, in the determining step, a decision to invite a given member to a given event requires (a) a match between the member information for the given member and the at least one invitee selection criterion for the given event and (b) a match between the event information for the given event and the member preference for the given member.
11. As per Claim 10 and 18, Gal discloses wherein, in the determining step, a decision to invite a given member to a given event requires (a) a match between the member information for the given member and the at least one invitee selection criterion for the given event and (b) a match between the event information for the given event and the member preference for the given member.

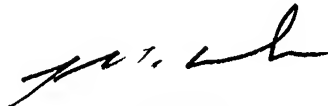
*Response to Arguments*

12. Applicant's arguments filed 6/8/05, regarding Claims 1-6, 8, 10-15, 17 and 18, have been fully considered but they are not persuasive. The rejection will remain as FINAL, based on the cited prior art.
13. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
14. The Applicant makes the argument that the prior art fails to teach or suggest wherein at least one of the invitations (a) invites its recipient to a plurality of events and (b) is sent via email.
15. However, e-mail is defined as "electronic communication through a computer" (www.dictionary.com), and Gal discloses wherein invitations are generated and correlated to a particular user (Fig.4, pg.5, using tables 98 and 100), and provided electronically to the user through a dynamic web page. Thus, the electronic invitation is created and transmitted electronically to the recipient through the computer.

***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
18. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

  
jo  
August 10, 2005

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600